

IN THE CLAIMS AMEND:

1. (Currently Amended) A container apparatus for simultaneously housing a product and a premium, said container apparatus comprising:

- a carton including

- a front panel, a back panel and two opposing side panels defining an interior region,

- each of the front panel, back panel and two opposing side panels having top and bottom edges;

- a top closure and a bottom closure for enclosing a product within the carton;

- at least one recessing flap formed in at least one of the front panel, back panel, two opposing side panels and top and bottom closures, said at least one recessing flap having a top edge, a bottom edge and two side edges,

- said at least one recessing flap being further formed from a depth-gauging panel, foldably emanating from an originating panel selected from at least one of the front panel, back panel, two opposing side panels, top closure and bottom closure along one a selected edge of the top, bottom and two side edges of the recessing flap and a backing panel, foldably emanating from an interior edge of the depth-gauging panel disposed opposite from the selected edge of the at least one recessing flap to form a recessed cell in the carton which is at least partially separated from the interior region of the carton,

- at least one access panel adjacent to said originating panel comprising at least one of said front panel, back panel, two opposing side panels, top closure and bottom closure disposed in, and foldably emanating from, one of the front panel, back panel, two opposing side panels, top closure and bottom closure, disposed adjacent to said originating panel, said at least one access panel foldably further foldably emanating from an opposite edge of the backing panel;

- the recessed cell spanning at least a portion of the originating panel and at least a portion of the at least one adjacent access panel to allow access to the recessed cell from outside the carton through at least two adjacent sides of the carton ones of said front panel, back panel, two opposing side panels, top closure and bottom closure;

- a premium item for receipt within the recessed cell, the premium item likewise being accessible from at least two sides of the carton of said adjacent ones of said front panel, back panel, two opposing side panels, top closure and bottom closure.

2. (Original) The container apparatus according to claim 1 wherein the recessed cell is at least partially separated from the interior region of the carton by the recessing flap.

3. (Cancelled).

4. (Cancelled).

5. (Currently amended) The container apparatus according to ~~claim 4~~ claim 1 wherein the depth-gauging panel is oriented substantially orthogonally to the backing panel.

6. (Original) The container apparatus according to claim 1 wherein the originating panel is the back panel of the carton.

7. (Original) The container apparatus according to claim 1 wherein the originating panel is one of the side panels of the carton.

8. (Original) The container apparatus according to claim 1 wherein the originating panel is the front panel of the carton.

9. (Original) The container apparatus according to claim 1 wherein the adjacent access panel further includes at least one catch region to facilitate retention of the premium item in the recessed cell.

10. (Currently Amended) A container apparatus for simultaneously housing a product and a premium, said container apparatus comprising:

- a carton including

- a front panel, a back panel and two opposing side panels defining an interior region,

- each of the front panel, back panel and two opposing side panels having top and bottom edges;

- a top closure and a bottom closure for enclosing a product within the carton;

- at least one recessing flap formed in at least one of the front panel, back panel, two opposing side panels and top and bottom closures, said at least one recessing flap having a top edge, a bottom edge and two side edges,

- said at least one recessing flap foldably emanating from an originating panel selected from at least one of the front panel, back panel, two opposing side panels, top closure and bottom closure along one of the top, bottom and two side edges of the recessing flap to form a recessed cell in the carton which is at least partially separated from the interior region of the carton,

- at least one access panel adjacent to said originating panel comprising at least one of said front panel, back panel, two opposing side panels, top closure and bottom closure;

- the recessed cell spanning at least a portion of the originating panel and at least a portion of the at least one adjacent access panel to allow access to the recessed cell from outside the carton through at least two adjacent sides of the carton;

- a premium item for receipt within the recessed cell, the premium item likewise being accessible from at least two sides of the carton; and

~~The container apparatus according to claim 1 further including- - a packaging card for housing the premium item in the recessed cell.~~

11. (Original) The container apparatus according to claim 10 wherein the packaging card includes at least one flange for abutting at least a portion of at least one of the originating panel and the adjacent access panel for retaining the blister card in the recessed cell.

12. (Original) The container apparatus according to claim 10 wherein the packaging card is retained in the recessed cell by a friction fit.

13. (Currently Amended) The container apparatus according to claim 10 wherein the packaging card is adhered by an adhesive adhesive to at least one of the recessing panel, the originating panel and the adjacent access panel.

14. (Original) The container apparatus according to claim 1 wherein the premium item includes an interactive element that may be manipulated without interfering with the interior region of the carton.

15. (Original) The container apparatus according to claim 14 wherein the interactive element requires access to said premium item housed within the recessed cell from both the originating panel side of the carton and the adjacent access panel side of the carton.

16. (Currently Amended) A container apparatus for simultaneously housing a product and a premium, said container apparatus comprising:

- a carton including

- a front panel, a back panel and two opposing side panels defining an interior region,

- each of the front panel, back panel and two opposing side panels having top and bottom edges;

- a top closure and a bottom closure for enclosing a product within the carton;

- at least one recessing flap formed in at least one of the front panel, back panel, two opposing side panels and top and bottom closures, said at least one recessing flap having a top edge, a bottom edge and two side edges,

- said at least one recessing flap foldably emanating from an originating panel selected from at least one of the front panel, back panel, two opposing side panels, top closure and bottom closure along one of the top, bottom and two side edges of the recessing flap to form a recessed cell in the carton which is at least partially separated from the interior region of the carton,

- at least one access panel adjacent to said originating panel comprising at least one of said front panel, back panel, two opposing side panels, top closure and bottom closure;

- the recessed cell spanning at least a portion of the originating panel and at least a portion of the at least one adjacent access panel to allow access to the recessed cell from outside the carton through at least two adjacent sides of the carton;

- a premium item for receipt within the recessed cell, the premium item likewise being accessible from at least two sides of the carton;

wherein the premium item includes an interactive element that may be manipulated without interfering with the interior region of the carton;

The container apparatus according to claim 14 wherein the interactive element further includes a viewing portion and a boundary exceeding member, said boundary exceeding member capable of manipulation for movement between a position substantially inside the recessed cell to a position substantially outside of the recessed cell.

17. (Original) The container apparatus according to claim 16 wherein the viewing portion of the interactive element is accessible through one of the originating panel and the adjacent access panel, while the boundary exceeding member is accessible through the other of the originating panel and the adjacent access panel.

18. (Original) The container apparatus according to claim 1 wherein the premium item includes a tray for housing a promotional item.

19. (Original) The container apparatus according to claim 18 wherein the tray includes a cover that is at least partially transparent.

20. (Original) The container apparatus according to claim 18 wherein the tray includes at least one flange for abutting at least a portion of at least one of the originating panel and the adjacent access panel to facilitate retention of the tray in the recessed cell.

21. (Original) The container apparatus according to claim 20 wherein the tray further includes at least one side flap extending from the at least one flange for abutting the adjacent access panel to facilitate retention of the tray in the recessed cell.

22. (Original) The container apparatus according to claim 1 further including a premium cover for retaining the premium item inside of the recessed cell.

23. (Original) The container apparatus according to claim 22 wherein at least a portion of the premium cover is transparent to allow viewing of at least a portion of the premium item in the recessed cell.

24. (Original) The container apparatus according to claim 1 wherein the premium item is no greater in thickness than the depth of the recessed cell.

25. (Original) The container apparatus according to claim 1 wherein at least one of the originating panel and the adjacent access panel include at least one push-in flap foldably attached thereto, said at least one push-in flap capable of orientation to further isolate the recessed cell from the interior region of the carton.

26. (Original) The container apparatus according to claim 1 wherein the top closure includes closure flaps foldably emanating from the top edge of each of the front panel, back panel and two opposing side panels.

27. (Original) The container apparatus according to claim 1 wherein the bottom closure includes closure flaps foldably emanating from the bottom edge of each of the front panel, back panel and two opposing side panels.

28. (Original) The container apparatus according to claim 1 wherein the carton is constructed from substantially paperboard material.

29. (New) The container apparatus according to claim 1 further including a packaging card for housing the premium item in the recessed cell.

30. (New) The container apparatus according to claim 29 wherein the packaging card includes at least one flange for abutting at least a portion of at least one of the originating panel and the adjacent access panel for retaining the blister card in the recessed cell.

31. (New) The container apparatus according to claim 29 wherein the packaging card is retained in the recessed cell by a friction fit.

32. (New) The container apparatus according to claim 29 wherein the packaging card is adhered by an adhesive to at least one of the recessing panel, the originating panel and the adjacent access panel.

33. (New) The container apparatus according to claim 14 wherein the interactive element further includes a viewing portion and a boundary exceeding member, said boundary exceeding member capable of manipulation for movement between a position substantially inside the recessed cell to a position substantially outside of the recessed cell.

34. (New) The container apparatus according to claim 33 wherein the viewing portion of the interactive element is accessible through one of the originating panel and the adjacent access panel, while the boundary exceeding member is accessible through the other of the originating panel and the adjacent access panel.